Montana State Legislature

2013 Session

Additional Documents include:

- *Business Report
- *Roll Call-attendance
- *Standing Committee Reports,
- *Table Bills, Fiscal reports etc.
- *Roll Call Votes
- *Witness Statements
- *Informational items
- *Visitor Registrations
- *Any other Documents;
 - ~Petitions if any?
 - ~Any and all material handed in after the meeting end.

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BUSINESS REPORT

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

Date: Monday, February 25, 2013

Place: Capitol

Time: 3:00 PM

Room: 317-A

BILLS and RESOLUTIONS HEARD:

SB 372 - Revise landlord tenant laws regarding carbon monoxide detectors Sen. Scott Boulanger

EXECUTIVE ACTION TAKEN:

SB 84: DPAA

5B 272: DPAA

SB 297: DPAA

SB 351: DP

SB 372: DP

SB 218: DPAA

SB 358: Tabled

Comments:

SEN. Jason Priest, Chair

Roll Call

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

DATE: <u>2.25.2013</u>

NAME	DDECENT	A D CENTE
NAME	PRESENT	ABSENT/
		EXCUSED
CHAIRMAN JASON PRIEST	X	
VICE CHAIRMAN TERRY MURPHY	×	
SENATOR MARY CAFERRO	×	
SENATOR GREG JERGESON	×	
SENATOR FRED THOMAS	X	
SENATOR DAVE WANZENRIED	X	
SENATOR ART WITTICH		X
	7	
	-	



February 25, 2013 Page 1 of 7

Mr. President:

We, your committee on Public Health, Welfare and Safety recommend that Senate Bill 84 (first reading copy -- white) do pass as amended.

Signed:

Sehator Jason Priest, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "CREATING A COMMISSION AND"

Insert: "ESTABLISHING"

2. Title, page 1, line 6 through line 7.

Strike: "ACTIVITIES" on line 6 through "ON" on line 7

3. Title, page 1, line 8.

Strike: "PROVIDING FOR"

Insert: "ALLOWING THE"

4. Title, page 1, line 9.

Strike: "INCLUDING"

Insert: "ALLOWING THE VOLUNTARY PARTICIPATION OF"

5. Title, page 1, line 10.

Following: "UNIVERSITY,"

Insert: "AND"

Following: "GOVERNMENT"

Strike: ","

Insert: "PLANS, INCLUDING"

6. Title, page 1, line 15.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

Committee Vote:

Yes 6, No 1

Fiscal Note Required

7. Page 1, line 19.

Strike: "7"
Insert: "5"

8. Page 1, line 24.

Strike: "7"
Insert: "5"

9. Page 1, line 28.

Strike: "7"
Insert: "5"

10. Page 2, line 20 through line 21.

Strike: "Commission" on line 20 through "purpose" on line 21

Insert: "State action immunity doctrine"

11. Page 2, line 21 through line 29.

Strike: "(1) There is" on line 21 through "(5)" on line 29

12. Page 2, line 29 through line 30.

Strike: "commission's" on line 29 through "payments" on line 30

Insert: "patient-centered medical home program in Montana"

Strike: "commission activities" on line 30

Insert: "any standards used by the patient-centered medical home
 program"

13. Page 3, line 6.

Strike: "7"
Insert: "5"

14. Page 3, line 8 through line 9.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

15. Page 3, line 13.

Following: "(4)"
Insert: "(a)"

16. Page 3, line 17.

Following: line 16

Insert: "(b) The term does not include the provision of services
 through the medicaid program or the healthy Montana kids
 program as authorized in Title 53."

17. Page 3, line 23. Strike: "commission"

Insert: "commissioner" Strike: "6" Insert: "4" 18. Page 3, line 25 through line 26. Strike: "determined" on line 25 through "to" on line 26 Insert: "that" Strike: "a" on line 26 Insert: "the" Following: "home" on line 26 Insert: "program" 19. Page 3, line 27. Following: line 26 Insert: "(5) "Prevention services" means health care services that include primary prevention services and clinical prevention services." Renumber: subsequent subsections Following: "provider" on line 27 Strike: "," Insert: "or"

20. Page 3, line 27 through line 28.

Following: "health care practice" on line 27

Strike: ", or a federally " on line 27 through "42 U.S.C. 254b" on line 28

21. Page 4, line 4 through page 5, line 1.

Strike: section 4 in its entirety Renumber: subsequent sections

22. Page 5, line 3.

Following: "rulemaking."

Insert: "(1)"

23. Page 5, line 5.

Strike: "(1)" Insert: "(a)" Strike: "7" Insert: "5"

24. Page 5, line 6 through line 10.

Strike: "(2) approve" on line 6 through "commission." on line 10 Insert: "(b) in consultation with interested parties, qualify patient-centered medical homes that have been accredited by. a nationally recognized accrediting organization approved by the commissioner and that meet any other standards

established by the commissioner;

- (c) oversee, promote, coordinate, and provide guidance concerning the creation and activities of any patient-centered medical homes doing business in Montana in order to ensure that the requirements of [sections 1 through 5] are met;
- (d) consult with all interested parties in association with carrying out the activities required under [sections 1 through 5]; and
- (e) develop and implement standards as set forth in [section 5] in consultation with interested parties.
- (2) For the purposes of this section, interested parties include but are not limited to the department, public health agencies, health plans, government health plans, primary health care providers, and health care consumers. Interested parties must be organized as a stakeholder council with regular meetings, the scheduling of which must be determined by the commissioner."
- 25. Page 5, line 12 through page 6, line 7.

Strike: section 6 in its entirety

Renumber: subsequent sections

26. Page 6, line 9.
Strike: "commission"
Insert: "commissioner"

27. Page 6, line 10 through line 11.

Strike: "commissioner" on line 10 through "practices" on line 11

Insert: "stakeholder council of interested parties"

28. Page 6, line 13. Strike: "commission"

Insert: "commissioner in consultation with stakeholders"

29. Page 6, line 20. Following: "measures"

Insert: "that include prevention services"

30. Page 6, line 22.

Following: line 21

Insert: "(3) A patient-centered medical home must meet the
 standards in this section in full or in part by providing
 proof to the commissioner that it has been accredited by a
 nationally recognized accrediting organization approved by
 the commissioner.

(4) The commissioner may, in consultation with stakeholders, set standards that are specific to Montana and may be required in addition to nationally recognized accreditation standards."

Renumber: subsequent subsections

31. Page 6, line 23. Strike: "commission" Insert: "commissioner"

32. Page 6, line 24. Following: "plans"

Insert: "and other payers"

33. Page 6, line 25. Strike: "commission" Insert: "commissioner"

34. Page 6, line 27.

Following: "plan"

Insert: "and other payers"

Strike: "its"
Insert: "their"

35. Page 6, line 28. Strike: "commission" Insert: "commissioner"

36. Page 6, line 30. Strike: "commission" Insert: "commissioner"

37. Page 7, line 8 through line 16.

Strike: subsection (6) through subsection (7) in their entirety
Insert: "(8) All health care providers who participate in a
 patient-centered medical home shall, as a condition of
 participation, commission an independent study on savings
 generated by the patient-centered medical home program and
 report to the children, families, health, and human services
 interim committee during the interim ending in 2016."

38. Page 7, line 17. Following: line 16

Insert: "NEW SECTION. Section 6. Participation in patient-centered medical home optional. The participation of an insurance contract or plan issued under this part in a patient-centered medical home program is not required. If a plan chooses to participate in a patient-centered medical home program, the plan shall comply with the requirements of [sections 1 through 5]."

Renumber: subsequent sections

Strike: "<u>7</u>"
Insert: "5"

40. Page 8, line 23.

Strike: "7"
Insert: "5"

41. Page 9, line 1.

Strike: "Except" through "this"

Insert: "This"

42. Page 9, line 6.

Strike: "and [sections 1 through 7],"

43. Page 9, line 10.

Strike: "and [sections 1 through 7],"

44. Page 9, line 30.

Strike: "7"
Insert: "5"

45. Page 10, line 29.

Strike: "7"
Insert: "5"

46. Page 11, line 9.

Strike: "7"
Insert: "5"

47. Page 13, line 6 through line 10.

Strike: "authorizing" on line 6 through "commission" on line 10 Insert: "for implementing and administering one or more patientcentered medical home programs. The rules may include but are not limited to provider qualifications, coverage groups, services coverage, measures to ensure the appropriateness and quality of services delivered, payment rates and fees, and utilization measures. In implementing and administering patient-centered medical home programs, the department shall use only health care providers that have been qualified by the commissioner and authorized to use the designation of a patient-centered medical home. The department shall use the standards adopted by the commissioner for patient-centered medical homes under [section 5], except for those standards relating to settling payment rates and fees and any standards that may conflict with federal medicaid requirements"

48. Page 13, line 12.

Following: "instruction."

Insert: "(1)"
Strike: "7"
Insert: "5"

49. Page 13, line 13.

Strike: "7"
Insert: "5"

50. Page 13, line 14.

Following: line 13

Insert: "(2) [Section 6] is intended to be codified as an
 integral part of Title 2, chapter 18, part 7, and the
 provisions of Title 2, chapter 18, part 7, apply to [section 6]."

51. Page 13, line 16. Following: line 15

Insert: "NEW SECTION. Section 14. Termination. [This act]

terminates December 31, 2017."

- END -



February 25, 2013 Page 1 of 1

Mr. President:

We, your committee on Public Health, Welfare and Safety recommend that Senate Bill 272 (first reading copy -- white) do pass as amended.

Signed:

Sendtor Jason Priest, Chair

And, that such amendments read:

1. Page 7, line 26. Following: line 25

pursuant to 41-3-425 and 47-1-104 from further

representation."

Renumber: subsequent subsections

2. Page 8, line 10. Strike: "41-5-1411" Insert: "41-3-112"

- END -

Committee Vote:
Yes 6, No 1
Fiscal Note Required ___



February 25, 2013 Page 1 of 2

Mr. President:

We, your committee on Public Health, Welfare and Safety recommend that Senate Bill 297 (first reading copy -- white) do pass as amended.

Signed:

Sengtor Jason Priest, Chair

And, that such amendments read:

1. Title, page 1, line 5 through line 6.

Strike: "PREFERRED"

Following: "DATE" on line 5

Strike: "AND" on line 5 through "DATE" on line 6

2. Page 1, line 10.
Strike: "preferred"

3. Page 1, line 11. Strike: "preferred"

Strike: "pursuant to this part"

Insert: "with a person as defined in 33-1-202"

4. Page 1, line 12. Strike: "preferred"

5. Page 1, line 15.

Following: "33-1-206;"

Insert: "or"

6. Page 1, line 16 through line 17.

Strike: "; or" on line 16 through "33-22-140" on line 17

7. Page 1, line 19.
Strike: "preferred"

Committee Vote:

Yes 6, No 1

Fiscal Note Required

8. Page 1, line 21.

Following: "instruction."

Insert: "(1)"

9. Page 1, line 22.

Following: "part of Title 33, chapter"

Strike: "22, part 17"

Insert: "1"

Following: "provisions of Title 33, chapter"

Strike: "22, part 17"

Insert: "1"

10. Page 1, line 24.

Following: line 23

Insert: "(2) [Section 1] is intended to be codified as an

integral part of Title 50, chapter 4, and the provisions of

Title 50, chapter 4, apply to [section 1]."

11. Page 2, line 1 through line 2. **Strike:** section 5 in its entirety

- END -



February 25, 2013 Page 1 of 1

Mr. President:

We, your committee on Public Health, Welfare and Safety recommend that Senate Bill 351 (first reading copy -- white) do pass.

Signed:

Mator Jason Priest, Chair

- END -

Committee Vote:
Yes 7, No 0
Fiscal Note Required ___



February 25, 2013 Page 1 of 1

Mr. President:

We, your committee on Public Health, Welfare and Safety recommend that Senate Bill 372 (first reading copy -- white) do pass.

Signed:

Sepator Jason Priest, Chair

- END -

Committee Vote:
Yes 6, No 1
Fiscal Note Required ___



February 25, 2013 Page 1 of 2

Mr. President:

We, your committee on Public Health, Welfare and Safety recommend that Senate Bill 218 (first reading copy -- white) do pass as amended.

Signed:

Senator Jason Priest, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "AND"

2. Title, page 1, line 6.

Following: "PROVIDERS"

Strike: "WHO EXERCISE THEIR MEDICAL JUDGMENT IN SELECTING"

Insert: "; REQUIRING HEALTH CARE PROVIDERS TO SELECT"

3. Title, page 1, line 7.

Following: "RATIONALE"

4. Page 2, line 13.

Strike: "4"
Insert: "5"

5. Page 2, line 16.

Strike: "4"

Insert: "5"

6. Page 2, line 24.

Following: "37-4-409,"

Insert: "an optometrist licensed under Title 37, chapter 10, a
 podiatrist licensed under Title 37, chapter 6,"

Committee Vote:

Yes 4, No 3

Fiscal Note Required

7. Page 3, line 6. Following: line 5

Insert: "(3) A health care provider who fails to select a
 medically acceptable course of treatment and include in the
 medical record the health care provider's documented
 rationale may be found negligent."

8. Page 3, line 6.

Insert: "NEW SECTION. Section 4. Survey to track effectiveness -- report. (1) The Montana medical legal panel shall develop a survey in order to determine whether [sections 1 through 5] are achieving the desired effects of reducing the practice of defensive medicine by physicians and to quantify the savings to medicaid, the healthy Montana kids plan, medicare, and private insurers in Montana and shall submit the survey to the board of medical examiners for its approval.

- (2) Once the survey is approved by the board of medical examiners, the Montana medical legal panel shall submit the survey on an annual basis to all physicians actively practicing medicine in the state of Montana.
- (3) The results of the survey are a public record and must be provided to the children, families, health, and human services interim committee during each interim ending in 2016."

Renumber: subsequent sections

9. Page 3, line 7.
Following: "through"

Strike: "4" Insert: "5"

10. Page 3, line 10.
Following: "through"

Strike: "4"
Insert: "5"

11. Page 3, line 11.

Strike: "4"
Insert: "5"

12. Page 3, line 15.

Insert: "NEW SECTION. Section 8. Termination. [This act]
terminates December 31, 2017."

BILL TABLED NOTICE

SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

The **SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE** TABLED

SB 358 - Revise allocation of legislators in certain legislative committees - Sen. Edward

Walker by motion on Monday, February 25, 2013.

(For the Secretary of the Seriate)

February 25, 2013 (12:34pm)

Julie Emge, Secretary

Phone: 444-4751

Roll Call Vote

DATE 2.25.13 BILL NO	564 MOT	ION NO _	
MOTION: Be Amended: SB	008405.	aas	
Motion Carried			
11001010 000 1100			
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	X	-	
SENATOR MARY CAFERRO		X	7
SENATOR GREG JERGESON		×	
SENATOR FRED THOMAS	X		
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X		X

Roll Call Vote

DATE $2 \cdot 25 \cdot 13$ BILL NO			
MOTION: Be Amended: 38 029	7701.aag	b/Ite	ms 1-6
Motion Courried			
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	X		
SENATOR MARY CAFERRO		X	
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	X		
SENATOR DAVID WANZENRIED	X		
SENATOR ART WITTICH	X		X
	4		
		×	
			1

Roll Call Vote

DATE 2.25.15 BILL NO			
MOTION: Do Pass As Amende	ed: Motion	r Car	ried
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	X		
SENATOR MARY CAFERRO	X		
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	X		
SENATOR DAVID WANZENRIED	X		
SENATOR ART WITTICH	X		X
	,		
	C		

Roll Call Vote

DATE 2.25.15 BILL NO 56	358 MOT	TON NO _	
MOTION: Be Amended: 53 03	5801.ac	25	
Motion Failed			
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY		X	
SENATOR MARY CAFERRO		X	
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	\times		
SENATOR DAVID WANZENRIED	1	X	
SENATOR ART WITTICH	X	•	X
	2	1	

Roll Call Vote

DATE 2.25.13 BILL NO	358 MOT	ΓΙΟΝ NO _	
MOTION: Do Pass - Motion			
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY		X	
SENATOR MARY CAFERRO		X	
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	X		
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X		X
	7		
	2	4	

Roll Call Vote

DATE 2.25.13 BILL NO SE	5 218 мот	TON NO _	
DATE 2.25.13 BILL NO SE MOTION: BE REMOVED From	Table - M	lotion	Passed
			3
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	×		* : .
SENATOR MARY CAFERRO		X	
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	X		
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X		
	4	3	

Roll Call Vote

DATE	2.2	5.13	BIL	L NO SS	218	MOT	TION NO	
MOTION	: Be	Ame	unded	:SB	2180	1.	aas	
	MO	rion C	arried		1			
	2		-					
37136								

NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	X		
SENATOR MARY CAFERRO		X	
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	×		
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X		
	4	3	

Roll Call Vote

DATE 2.25.15 BILL NO 5	FOM BIS C	TON NO _	
MOTION: Be Amended: 980	21802.a	as/It	rems 240
Motion Carries			
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	X		
SENATOR MARY CAFERRO	X		4
SENATOR GREG JERGESON	X		
SENATOR FRED THOMAS		X	
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X	-	
	(a) (b)		

Roll Call Vote

DATE 2.25.19 BILL NOSE	MOT	TION NO _	
MOTION: Be Amended: 980 4,5,7-11 Motion Ca	21802.au	25/1H	ems 1, 3,
Motion Ca	rried		
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X	4,	
VICE CHAIRMAN TERRY MURPHY	X		
SENATOR MARY CAFERRO	X		
SENATOR GREG JERGESON	X		
SENATOR FRED THOMAS	X	-	
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X		

	y ,		
,	C		

Roll Call Vote

DATE & ZJIJ BILL NO		-	
MOTION: Do Pass As Ame	nded-M	otion (Carried
NAME	AYE	NAY	If Proxy Vote, check here & include signed Proxy Form with minutes
CHAIRMAN JASON PRIEST	X		
VICE CHAIRMAN TERRY MURPHY	X		
SENATOR MARY CAFERRO		\times	
SENATOR GREG JERGESON		X	
SENATOR FRED THOMAS	X		
SENATOR DAVID WANZENRIED		X	
SENATOR ART WITTICH	X	,	
	-		
•	4	3	

SENATE PROXY

I, Senat	tor <u>Art Wittich</u>		, hereby authorize Senator	
	PRIEST	to vote	my proxy before the Senate	
PUBLIC	HEALTH, W	ELFARE & SAFETY	meeting held on	
2/2	25/	013.		
	Currin	>	2.25-13	
Senator	Signature		Date	

Said authorization is as follows: (mark only one)

- ☐ All votes, including amendments.
- All votes as directed below on the listed bills, and all other votes.
- Uotes only as directed below.

Bill No./Amendment No.	Aye	No
SB 84/008404. aas	X	
1008405.aas	X	
SB 84 DPAA	X	
SB 272/027201. ago	×	
027201. aas	X	
SB 272 DPAA	X	
Sp 297/029701. aash	X	
/029703.aas	X	
1029702.005	X	
SB 297 DPAA	X	
SB 351 DP	X	
SB 358/035801. aas	X	
56 358 DP	X	
SB 372	X	
		X PL - PL

MONTANA STATE SENATE Visitors Register SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

Monday, February 25, 2013

SB 372 - Revise Landlord Tenant Laws Regarding Carbon Monoxide Detectors

Sponsor: Sen. Scott Boulanger

PLEASE PRINT CLEARLY

Name	Representing	Support	Oppose	Info
William C Semen	MLB	X		
William Staffeldt	Mentane Landlord Assoc VP	×		
John SINRUD	MT LANDLAG dS ASSOC	× ×		
Colo Chelean	City of MSIA		X	
	l		/	
	,			

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.